

UNITED STATES DISTRICT COURT

for the

Middle District of Georgia

United States of America

v.

Rashan Ali Harris

Date of Original Judgment: 10/24/2021

Date of Previous Amended Judgment: N/A

(Use Date of Last Amended Judgment if Any)

Case No: 5:20-CR-00023-001

USM No: 01729-120

Catherine Williams

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2) (Amendment 821)**

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by Amendment 821 to the *United States Sentencing Guidelines*, and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 37 months **is reduced to** Time Served.

On April 8, 2021, Harris entered a guilty plea to a single count Indictment charging him with Possession of a Firearm by a Prohibited Person. He was sentenced on October 25, 2021, to a term of 37 months custody, three years of supervised release and a \$100 mandatory assessment. The Court determined that the total offense level was 17 with a criminal history category IV, which yielded an advisory sentencing range of 37-46 months. His subtotal criminal history score was six. He received two additional points for being under a criminal justice sentence when he committed the instant offense. Based on retroactive Amendment 821, Part A, to the *United States Sentencing Guidelines* defendants with less than seven criminal history points do not receive the additional two-point increase in the criminal history score. If the Court grants the reduction in this case, the new advisory sentencing range would be 30-37 months based on a total offense level 17 and a revised criminal history category III. A reduction of 6 months or more would likely result in his release from custody on February 1, 2024. The government agrees he is eligible for reduction and recommends a sentence at the bottom of the newly calculated range (30 months). This should result in a sentence of time-served, effective February 1, 2024.

Except as otherwise provided, all provisions of the judgment dated 10/24/2021 shall remain in effect.

IT IS SO ORDERED.

Order Date: 01/09/2024

s/Tilman E. Self, III

Judge's signature

Effective Date: 02/01/2024

(if different from order date)

Tilman E. Self, III, U.S. District Judge

Printed name and title